



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

09/818,130

03/27/2001

Noam Livnat

8644

7590

07/13/2004

Noam Livnat
320 Waverley St., #1
Menlo Park, CA 94025

EXAMINER

PHAN, TAM T

ART UNIT

PAPER NUMBER

2144

DATE MAILED: 07/13/2004

2

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/818,130

Applicant(s)

LIVNAT, NOAM

Examiner

Tam (Jenny) Phan

Art Unit

2144

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 July 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This application has been examined. Claims 1-30 presented for examination.

Priority

2. This application claims benefit of the provisional application 60/193,753 (03/31/2000).
3. The effective filing date for the subject matter defined in the pending claims, which has support in Provisional Application No. 60/193,753 is 03/31/2000. Any new subject matter defined in the claims not previously disclosed in Provisional Application No. 60/193,753, is entitled to the effective filing date of 03/27/2001.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

5. Claims 1-3, 9, 11-18, 24, and 26-30 rejected under 35 U.S.C. 102(e) as being anticipated by Shoroff et al. (U.S. Patent Number 6,381,602), hereinafter referred to as Shoroff.
6. Regarding claim 1, Shoroff disclosed a system for secure storage of information and controlled grant of access to said information to clients on a network, said system comprising: a server; a client computer coupled to said server via said network; a datastore configured to store said information; and an access controller coupled between said server and said datastore, wherein said access controller is adapted to function as an application server and provide a data representation of said information to said client by way of said server and said network as a

Art Unit: 2144

function of: (1) a request from said client sent by way of said network and said server; and (2) predetermined criteria; wherein said data representation is transient in said server (Abstract, Figures 2-4, column 3 lines 11-53, column 6 line 64-column 7 line 6, column 7 lines 15-24, column 9 lines 22-54).

7. Regarding claim 2, Shoroff disclosed a system wherein said network includes the Internet and World Wide Web (column 6 lines 38-44).

8. Regarding claim 3, Shoroff disclosed a system wherein said network includes a telephone network and said system includes a telephone coupled to said access controller via said telephone network [networking environments] (column 6 lines 31-44, line 64-14). Note: telephone network is well known in the networking environments.

9. Regarding claim 9, Shoroff disclosed a system wherein said request from said client includes a client identification and an information identification (column 9 lines 22-54, column 10 lines 9-31).

10. Regarding claim 11, Shoroff disclosed a system wherein said predetermined criteria may be different for different client types (Figure 4 sign 102', Figure 7 sign 120, 122, column 3 lines 11-53, column 10 lines 9-31).

11. Regarding claim 12, Shoroff disclosed a system wherein said information includes a plurality of content items and said access controller provides to a graphical user interface of said client computer a client selectable content list, indicating content items for which said data representations can be provided to said client, wherein said client may generate said request by selecting a desired content item from said content list (Figures 3-5, column 3 lines 31-53, column 9 lines 22-38, column 11 lines 29-43).

12. Regarding claim 13, Shoroff disclosed a system wherein a graphical user interface of a client computer includes mechanisms to facilitate said client generating said request by entering a URL, entering a content item identification, performing a text search, or manipulating a directory tree (column 3 lines 11-30, column 7 lines 44-56, column 9 lines 22-54).

13. Regarding claim 14, Shoroff disclosed a system wherein said criteria include criteria for verifying that said client is entitled to be granted access to said information, said criteria for verifying including an identification of said user (Figure 7 sign 134, column 1 lines 39-49, column 9 lines 21-38).

14. Regarding claim 15, Shoroff disclosed a system wherein said data representation is provided as a further function of history [cache] and profile information associated with said client (Figure 6 sign 108, Figure 7 sign 134, column 1 lines 39-49, column 2 lines 56-58, column 3 lines 12-30, lines 42-53, column 9 lines 21-38, column 10 lines 10-31, column 11 line 46-column 12 line 19).

15. Regarding claims 16-18, 24, and 26-30, the method corresponds directly to the system of claims 1-2, 9, and 11-15, and thus these claims are rejected using the same rationale.

16. Since all the limitations of the claimed invention were disclosed by Shoroff, claims 1-3, 9, 11-18, 24, and 26-30 are rejected.

17. Claims 1-2, 9-17, and 24-30 rejected under 35 U.S.C. 102(e) as being anticipated by Mehring et al. (U.S. Patent Number 6,609,115), hereinafter referred to as Mehring.

18. Regarding claim 1, Mehring disclosed a system for secure storage of information and controlled grant of access to said information to clients on a network, said system comprising: a

Art Unit: 2144

server; a client computer coupled to said server via said network; a datastore configured to store said information; and an access controller coupled between said server and said datastore, wherein said access controller is adapted to function as an application server and provide a data representation of said information to said client by way of said server and said network as a function of: (1) a request from said client sent by way of said network and said server; and (2) predetermined criteria; wherein said data representation is transient in said server (Abstract, Figures 4-8, column 2 lines 31-42, column 2 line 61-column 3 line 10, column 8 lines 9-37, column 9 lines 9-52, column 10 lines 4-31).

19. Regarding claim 2, Mehring disclosed a system wherein said network includes the Internet and World Wide Web (Figures 4-5, column 3 lines 11-21, column 9 lines 9-17).

20. Regarding claim 9, Mehring disclosed a system wherein said request from said client includes a client identification and an information identification (column 2 lines 31-42, column 3 lines 1-10, column 8 lines 9-37, column 9 lines 28-52).

21. Regarding claim 10, Mehring disclosed a system wherein said clients are typed and said data representation is provided to said client as a further function of a client type (column 13 lines 39-61, column 14 lines 44-63).

22. Regarding claim 11, Mehring disclosed a system wherein said predetermined criteria may be different for different client types (column 13 lines 38-61, column 14 lines 44-63).

23. Regarding claim 12, Mehring disclosed a system wherein said information includes a plurality of content items and said access controller provides to a graphical user interface of said client computer a client selectable content list, indicating content items for which said data representations can be provided to said client, wherein said client may generate said request by

Art Unit: 2144

selecting a desired content item from said content list (Figures 6 and 8, column 7 lines 1-28, column 9 lines 8-17, column 10 lines 4-31).

24. Regarding claim 13, Mehring disclosed a system wherein a graphical user interface of a client computer includes mechanisms to facilitate said client generating said request by entering a URL, entering a content item identification, performing a text search, or manipulating a directory tree (Figures 6 and 8, column 9 lines 9-17).

25. Regarding claim 14, Mehring disclosed a system wherein said criteria include criteria for verifying that said client is entitled to be granted access to said information, said criteria for verifying including an identification of said user (Figures 6 and 8, column 2 lines 31-42, column 8 lines 9-37).

26. Regarding claim 15, Mehring disclosed a system wherein said data representation is provided as a further function of history and profile information associated with said client (column 11 lines 1-24).

27. Regarding claims 16-17 and 24-30, the method corresponds directly to the system of claims 1-2 and 9-15, and thus these claims are rejected using the same rationale.

28. Since all the limitations of the claimed invention were disclosed by Mehring, claims 1-2 and 9-17, 24-30 are rejected.

Claim Rejections - 35 USC § 103

29. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

30. Claims 4-8, 10, 19-23, and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shoroff et al. (U.S. Patent Number 6,381,602), hereinafter referred to as Shoroff, as applied to above in view of Ballard (U.S Patent Number 6,182,050).

31. Regarding claim 4, Shoroff disclosed a system for secure storage of information and controlled grant of access to said information to clients on a network, said system comprising: a server; a client computer coupled to said server via said network; a datastore configured to store said information; and an access controller coupled between said server and said datastore, wherein said access controller is adapted to function as an application server and provide a data representation of said information to said client by way of said server and said network as a function of: (1) a request from said client sent by way of said network and said server; and (2) predetermined criteria; wherein said data representation is transient in said server (Abstract, Figures 2-4, column 3 lines 11-53, column 6 line 64-column 7 line 6, column 7 lines 15-24, column 9 lines 22-54).

32. Shoroff taught the invention substantially as claimed. However, Shoroff did not expressly teach a system wherein said predetermined criteria define a time window for which said information is available for access.

33. Shoroff suggested exploration of art and/or provided a reason to modify the system with the time window access feature (column 12 lines 1-19).

34. Ballard disclosed a system wherein said predetermined criteria define a time window for which said information is available for access.

35. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the system of Shoroff with the teachings of Ballard to include the time

Art Unit: 2144

window access feature in order to monitor the access information (Ballard, column 7 lines 36-55) since it is beneficial to allow the distribution system to be automated over a public networks (Ballard, column 8 lines 7-21). In addition, if the information is available for access relates to broadcast or advertisement, the owner of the information might only want to pay to have their information distributed to a requisite number of end users within a specific period of time (Ballard, column 10 lines 54-67).

36. Regarding claim 5, Ballard disclosed a system wherein said criteria includes a start date, wherein said start date defines when said information is made available for access (column 7 lines 41-49, column 10 lines 54-67, column 17 lines 36-61, column 18 lines 33-50).

37. Regarding claim 6, Ballard disclosed a system wherein said criteria includes a period of duration of access, wherein said period of duration of access commences upon said information being accessed by said client (column 7 lines 41-49, column 10 lines 54-67, column 17 lines 36-61, column 18 lines 33-50).

38. Regarding claim 7, Ballard disclosed a system wherein said criteria includes an end date, wherein said end date defines when said information ceases to be available for access (column 7 lines 41-49, column 10 lines 54-67, column 17 lines 36-61, column 18 lines 33-50).

39. Regarding claim 8, Ballard disclosed a system wherein said criteria includes a start date and a start time, wherein said start date and start time define when said information is made available for access, and further includes an end date and an end time, wherein said end date and end time define when said information ceases to be available for access (column 7 lines 41-49, column 10 lines 54-67, column 17 lines 36-61, column 18 lines 33-50).

Art Unit: 2144

40. Regarding claim 10, Ballard disclosed a system wherein said clients are typed and said data representation is provided to said client as a further function of a client type (column 9 lines 22-67).

41. Regarding claims 19-23, and 25, the method corresponds directly to the system of claims 4-8, and 10, and thus these claims are rejected using the same rationale.

42. Since all the limitations of the claimed invention were disclosed by the combination of Shoroff and Ballard, claims 4-8, 10, 19-23, and 25 are rejected.

Conclusion

43. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Refer to the enclosed PTO-892 for details.

44. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tam (Jenny) Phan whose telephone number is (703) 305-4665. The examiner can normally be reached on M-F 9:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Cuchlinski can be reached on 703-308-3873. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR

Art Unit: 2144

system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

William Cuchlinski
SPE
Art Unit 2144
703-308-3873

tp
July 6, 2004



WILLIAM A. CUCHLINSKI, JR.
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600